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Supreme Court of the United States

OCTOBER TERM, 1964

No. [redacted]
117

HATTIE RAY KING AND JAMES ALBERT KING,
Petitioners,

versus

UNITED STATES OF AMERICA,
Respondent.

APPENDIX TO PETITION FOR WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT.

HUGH L. BAILEY,
Attorney for Petitioners.

IN THE
UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 20466.

HATTIE RAY KING and JAMES ALBERT KING,
Appellants,

versus

UNITED STATES OF AMERICA,
Appellee.

Appeal from the United States District Court for the Northern District of Mississippi.

(January 29, 1964.)

Before TUTTLE, Chief Judge, and HUTCHESON and GEWIN, Circuit Judges.

PER CURIAM: After careful consideration, we conclude that there is no substance in the grounds asserted for this appeal. Counsel took no exceptions to the charge of the court, thus failing to preserve any claim of error arising from the charge. We think it is plain that there is no basis for the contention here made that the trial court's comments on the evidence constituted substantial error against appellants.

The judgment is AFFIRMED.

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 20466.

HATTIE RAY KING and JAMES ALBERT KING,
Appellants,

versus

UNITED STATES OF AMERICA,
Appellee.

Appeal from the United States District Court for the Northern District of Mississippi.

(March 3, 1964.)

ON PETITION FOR REHEARING.

Before TUTTLE, Chief Judge, and HUTCHESON and GEWIN, Circuit Judges.

PER CURIAM: It is ORDERED that the petition for rehearing filed in the above styled and numbered cause be, and the same is, hereby DENIED.

UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 20466.

D. C. Docket No. R-6313.

HATTIE RAY KING and JAMES ALBERT KING,
Appellants,

versus

UNITED STATES OF AMERICA,
Appellee.

Appeal from the United States District Court for the Northern District of Mississippi.

Before TUTTLE, Chief Judge, and HUTCHESON and GEWIN, Circuit Judges.

JUDGMENT.

This cause came on to be heard on the transcript of the record from the United States District Court for the Northern District of Mississippi, and was taken under submission by the Court upon the record and briefs on file;

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court that the judgment of the said District Court in this cause be, and the same is hereby, affirmed.

January 29, 1964

Issued as Mandate: